

**PLANNING BOARD RESOLUTION  
NUMBER 2009-029**

**A RESOLUTION OF THE KEY WEST PLANNING BOARD GRANTING A CONDITIONAL USE PERMIT TO OPERATE A RESTAURANT WITH 535 SQUARE FEET OF CONSUMPTION AREA AT PROPERTY LOCATED AT 207 PETRONIA STREET (RE#00013740-000000), KEY WEST FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the subject property is located in the Historic Neighborhood Commercial – 3 (HNC-3) zoning district; and

**WHEREAS**, the property currently operates as a coin laundry business; and

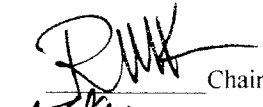

**WHEREAS**, Code Section 122-868(9) allows for restaurants as a conditional use within the HNC-3 zoning district; and

**WHEREAS**, the applicant filed a conditional use application to allow a restaurant within an existing commercial space; and

**WHEREAS**, the consumption area will total 535 square feet within the existing commercial space; and

**WHEREAS**, Sections 122-61 and 122-62 outline the criteria for reviewing a Conditional Use application; and

**WHEREAS**, this matter came before the Planning Board at a duly noticed public hearing on

  
Chairman  
  
Planning Director

July 30, 2009; and

**WHEREAS**, approval of the Conditional Use application will be in harmony with the general purpose and intent of the Land Development Regulations, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare; and

**WHEREAS**, the approval of the conditional use application is consistent with the criteria in the Code;



**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the City of Key West, Florida:

**Section 1.** That the above recitals are incorporated by reference as if fully set forth herein.

**Section 2.** That a Conditional Use application, per Section 122-868 (9), under the Code of Ordinances of the City of Key West, Florida, is hereby approved for 535 square feet of consumption area for property located at 207 Petronia Street (RE#00013740-000000), as shown in the attached revised plans dated June 22, 2009 and clarified August 3, 2009.

**Section 3.** This Conditional Use approval does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of the applicant's assertion of legal authority respecting the property.

**Section 4.** This Resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Commission.

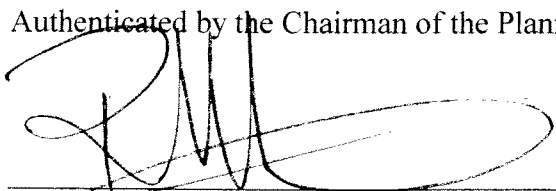
  
Chairman  
  
Planning Director

**Section 5.** This resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit will be rendered to the Florida Department of Community Affairs. Pursuant to Chapter 9J-1, F.A.C., this permit is not effective for forty five (45) days after it has been properly rendered to the DCA with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DCA can appeal the permit to the Florida Land and Water Adjudicatory Commission; and that such an appeal stays the effectiveness of the permit until the appeal is resolved by agreement or order.

**Section 6.** It is a requirement of this conditional use that full, complete, and final application for all permits required for any new construction for any use and occupancy for which this conditional use is wholly or partly necessary, whether or not such construction is suggested or proposed in the documents presented in support of this conditional, shall be submitted in its entirety within twelve months after the date hereof; and further, that no application or reapplication for new construction for which the conditional use is wholly or partly necessary shall be made after expiration of the twelve month period without the applicant obtaining an extension from the Planning Board and demonstrating that no change of circumstances to the property or its underlying zoning has occurred.

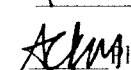
Read and passed on first reading at a <sup>special</sup> regular meeting held this 30 day of JULY, 2009.

Authenticated by the Chairman of the Planning Board and the Planning Director.

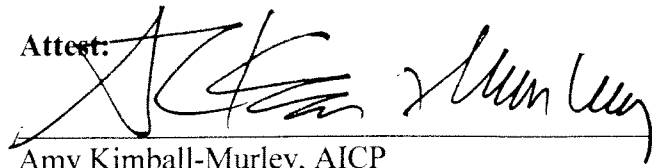
  
Richard Klitenick, Chairman  
Key West Planning Board

August 4, 2009  
Date

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 Chairman  
 Planning Director

Attest:

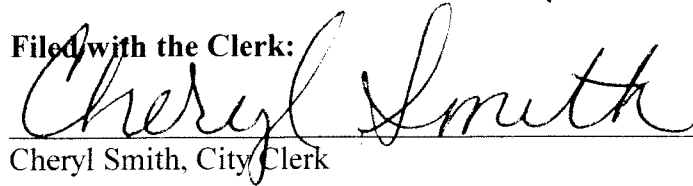


Amy Kimball-Murley, AICP  
Planning Director

August 5, 2009

Date

Filed with the Clerk:



Cheryl Smith, City Clerk

8-5-09

Date

 Chairman  
 Planning Director

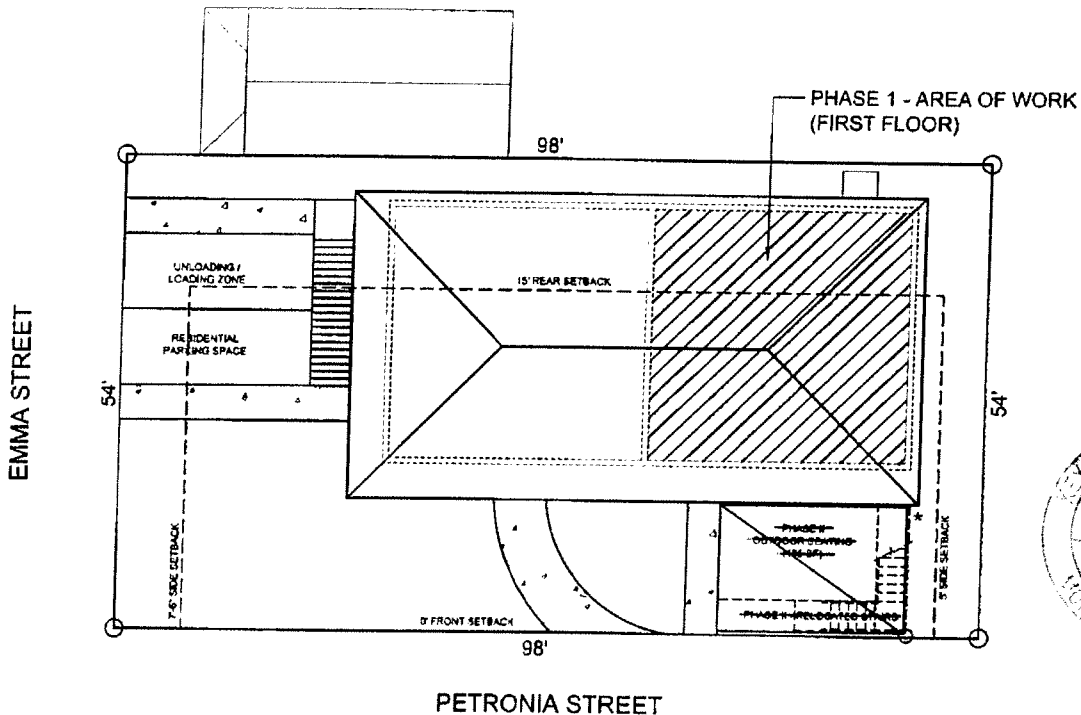
# FLORIDA BUILDING CONSULTANTS, INC.

402 APPELROUTH LANE, SUITE 1-F  
KEY WEST, FLORIDA  
C.A.#26045

SHEET: 1 OF 4  
DATE: 07-09-09  
BY: EKM  
JOB # \_\_\_\_\_

JOB TITLE: 207 PETRONIA STREET

## PROPOSED SITE PLAN



### PROJECT PHASING SCHEDULE

PHASE I: CONVERT LAUNDRY MAT TO COFFEE SHOP WITH RETAIL AND CATERING SERVICE. NO CHANGES TO EXISTING SITE PLAN

PHASE II: RECONSTRUCT AND MOVE STAIRS AND ADD 195 SQ. FT. OF NEW—  
SIDEWALK ORIENTED SEATING AREA. PRIOR TO COMMENCEMENT OF PHASE II—  
WORK, ALL PHASE II RELATED APPROVALS MUST BE OBTAINED, INCLUDING BUT  
NOT LIMITED TO: STORM WATER, LANDSCAPING, AND ALL REQUIRED VARIANCES.



PROPOSED SITE PLAN

SCALE: 1"=20'-0"

PAUL R. SEMMES, P.E.  
#44137 DATE: \_\_\_\_\_

\*Note: Withdrawn as part of this application

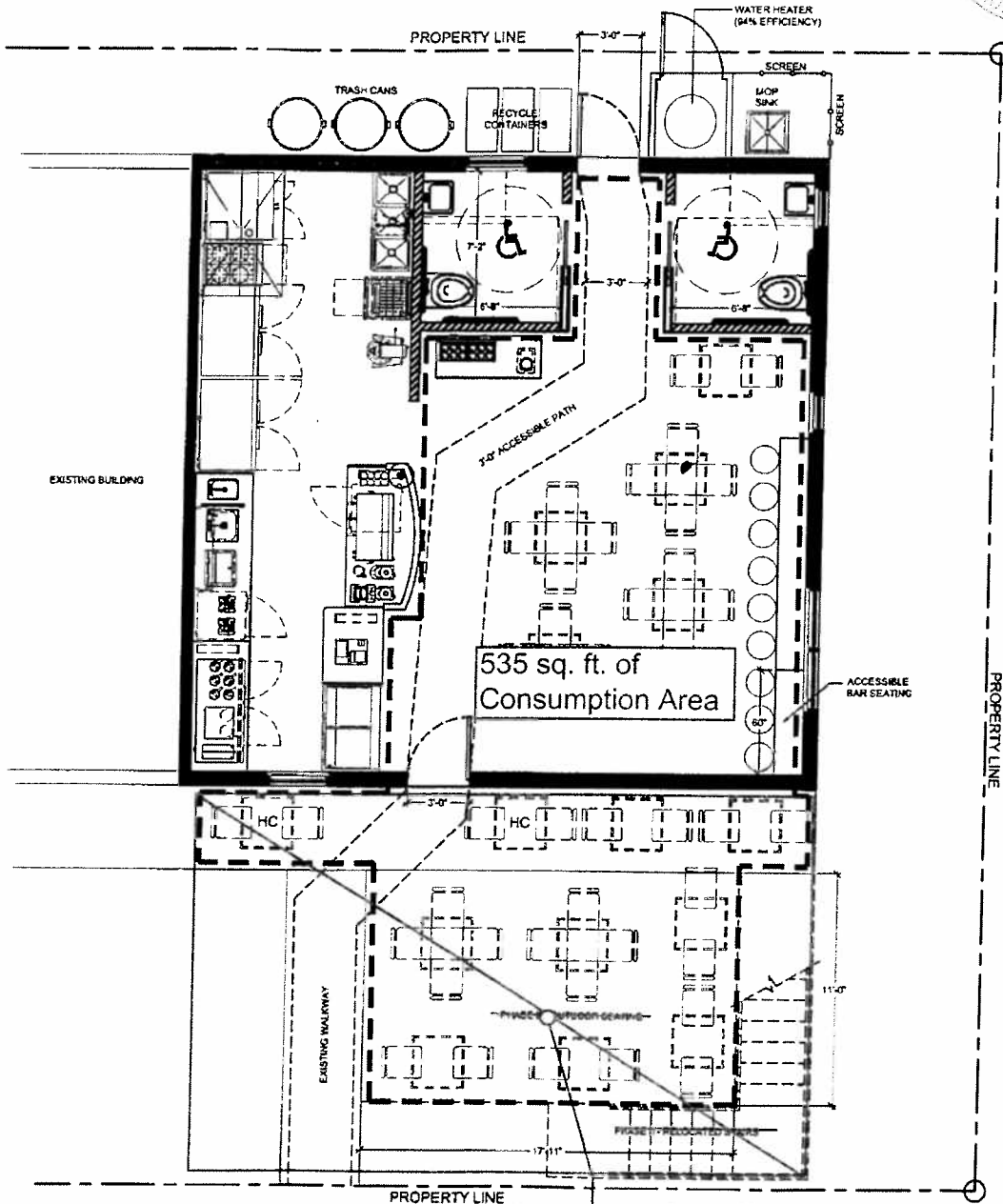
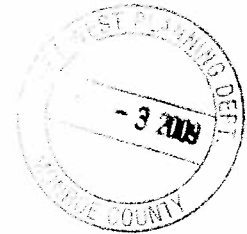
# FLORIDA BUILDING CONSULTANTS, INC.

402 APPELROUTH LANE, SUITE 1-F  
KEY WEST, FLORIDA  
C.A.#26045

JOB TITLE: 207 PETRONIA STREET

## PROPOSED FLOOR PLAN

SHEET: 4 OF 4  
DATE: 07-09-09  
BY: EKM  
JOB #



\*Note: Withdrawn as part of this application

## PROPOSED FLOOR PLAN

SCALE: 1/8"=1'-0"

PAUL R. SEMMES, P.E.

#44137 DATE:

*Alan*  
*8/5/09*  
*Rulk*  
*8/4/09*